JOURNAL OF THE HOUSE

EIGHTY-SEVENTH SESSION

ELEVENTH DAY
ELEVENTH DAY

STATE OF SOUTH DAKOTA House of Representatives, Pierre Monday, January 30, 2012

The House convened at 2:00 p.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Father Kristopher Cowles, followed by the Pledge of Allegiance led by House pages Elliott Brunner and Ashley Heupel.

Roll Call: All members present except Rep. Killer who was excused.

APPROVAL OF THE JOURNAL

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the tenth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted, Val Rausch, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

1

2	MR. SPEAKER:
3 4 5	The Committee on State Affairs respectfully reports that it has had under consideration HB 1182 and HJR 1004 and returns the same with the recommendation that said bill and resolution do pass.
6	Also MR. SPEAKER:
7 8 9	The Committee on State Affairs respectfully reports that it has had under consideration HB 1196 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.
10	Also MR. SPEAKER:
11 12 13	The Committee on State Affairs respectfully reports that it has had under consideration HB 1181 and returns the same with the recommendation that said bill be referred to the Committee on Judiciary.
14	Also MR. SPEAKER:
15 16	The Committee on State Affairs respectfully reports that it has had under consideration HB 1148 and 1149 and HJR 1005 which were deferred to the 41 st Legislative Day.
17 18	Respectfully submitted, David Lust, Chair
19	Also MR. SPEAKER:
20 21	The Committee on Commerce and Energy respectfully reports that it has had under consideration HB 1120 and returns the same with the recommendation that said bill do pass.
22	Also MR. SPEAKER:
23 24 25	The Committee on Commerce and Energy respectfully reports that it has had under consideration HB 1059 and returns the same with the recommendation that said bill be amended as follows:

1 1059ja 2 On page 49, between lines 5 and 6 of the printed bill, insert: 3 Section 9-801. This Act takes effect on July 1, 2013.". 4 And that as so amended said bill do pass. 5 Also MR. SPEAKER: 6 The Committee on Commerce and Energy respectfully reports that it has had under 7 consideration HB 1035 and returns the same with the recommendation that said bill be amended 8 as follows: 9 1035sa 10 On page 1, line 8, of the printed bill, after "." insert "Confidential information shared with 11 the director may not be disclosed. However, nothing in this section prevents the director from 12 providing a copy of licensee responses or other materials submitted by a licensee to complaints 13 or inquiries if the response or materials are not specifically marked confidential. This Act does 14 not apply to investigations conducted pursuant to chapter 58-4A. 15 Section 2. That chapter 58-4 be amended by adding thereto a NEW SECTION to read as 16 follows: 17 Terms used in sections 2 to 6, inclusive of this Act, mean: 18 (1) "Return information," any information collected, prepared or received by the 19 Division which relates to a return, including the nature or amount of a taxpayer's 20 income, receipts, deductions, net worth, tax liability, or deficiencies, or any part of 21 any written determination or background file documents relating to such information. 22 The term does not include data in a form which cannot be associated with or 23 otherwise identify, directly or indirectly, a particular taxpayer; (2) "Returns," all tax returns, tax reports or claims for refund which are filed with the 24 Division. 25 26 Section 3. That chapter 58-4 be amended by adding thereto a NEW SECTION to read as 27 follows: 28 Each list of premium taxpayers compiled by the Division is confidential. It is a Class 2 29 misdemeanor to disclose any list except to the extent necessary to carry out the official duties 30 of the Division. 31

Section 4. That chapter 58-4 be amended by adding thereto a NEW SECTION to read as

32

follows:

1 2		emium tax return information is confidential. It is a Class 1 ormation except pursuant to sections 2 through 6 of this Act.
3 4	*	be amended by adding thereto a NEW SECTION to read as
5 6	A premium tax return and following:	premium tax return information may be disclosed to the
7 8	(1) The taxpayer who is designee appointed in	required to submit the information to the Division, or his writing; or
9	(2) As otherwise authorize	ed by Title 58.
10 11	Section 6.That chapter 58-4 follows:	be amended by adding thereto a NEW SECTION to read as
12 13	-	mium tax return information may be disclosed in a judicial or
14 15	(1) If the information is di or	rectly related to the resolution of an issue in the proceeding;
16	(2) To the extent required	by a judicial or administrative order.".
17	And that as so amended said	I bill do pass and be placed on the consent calendar.
18	Also MR. SPEAKER:	
19 20		erce and Energy respectfully reports that it has had under as deferred to the 41 st Legislative Day.
21 22		Respectfully submitted, Roger D. Solum, Chair
23	Also MR. SPEAKER:	
24 25		on respectfully reports that it has had under consideration the same with the recommendation that said bills do pass.
26	Also MR. SPEAKER:	
27	The Committee on Educati	on respectfully reports that it has had under consideration

HB 1195 and returns the same with the recommendation that said bill be amended as follows:

28

1	1195ca
2 3 4	On page 1, line 7, of the printed bill, after "therefor.", insert "However, the programming provided by a school district for which a fee may be charged pursuant to this section does not include any high school extracurricular activity.".
5	1195cb
6	On page 2, after line 1 of the printed bill, insert:
7 8 9	" Section 4. Whereas, this Act is necessary for the support of the state government and its existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full force and effect from and after its passage and approval.".
10	1195cta
11	On page 1, line 2, of the printed bill, after "services" insert ", and to declare an emergency".
12	And that as so amended said bill do pass.
13	Also MR. SPEAKER:
14 15 16	The Committee on Education respectfully reports that it has had under consideration HB 1123 and returns the same with the recommendation that said bill be referred to the Committee on Appropriations with a do pass recommendation.
17	Also MR. SPEAKER:
18 19	The Committee on Education respectfully reports that it has had under consideration HB 1118 which was tabled.
20 21	Respectfully submitted, Thomas J. Brunner, Chair
22	MESSAGES FROM THE SENATE
23	MR. SPEAKER:
24 25	I have the honor to inform your honorable body that the Senate has failed to concur in HCR 1003.

1	Also MR. SPEAKER:
2 3	I have the honor to return herewith HB 1016, 1024, and 1048 which have passed the Senate without change.
4	Also MR. SPEAKER:
5 6	I have the honor to transmit herewith SB 62, 63, 64, 66, 67, 69, and 72 which have passed the Senate and your favorable consideration is respectfully requested.
7 8	Respectfully, Fee Jacobsen, Secretary
9	CONSIDERATION OF REPORTS OF COMMITTEES
10	Rep. Lust moved that the reports of the Standing Committees on
11	Appropriations on HB 1041 as found on pages 212 and 213 of the House Journal; also
12	Health and Human Services on HB 1171 as found on page 213 of the House Journal; also
13 14	Health and Human Services on HB 1177 as found on pages 213 and 214 of the House Journal; also
15	Transportation on HB 1154 as found on page 214 of the House Journal; also
16	Local Government on HB 1076 as found on pages 215 and 216 of the House Journal; also
17	Local Government on HB 1088 as found on page 216 of the House Journal be adopted.
18	Which motion prevailed.
19	FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS
20 21 22	SB 62: FOR AN ACT ENTITLED, An Act to allow certain alcoholic beverage licensees to charge a corkage fee for serving wine supplied by customers and to allow customers to remove a partially consumed bottle of wine from certain alcoholic beverage licensees.
23	Was read the first time and referred to the Committee on State Affairs.

1 2	SB 63: FOR AN ACT ENTITLED, An Act to revise the term of service of regional railroad authority commissioners.
3	Was read the first time and referred to the Committee on Transportation.
4 5	SB 64: FOR AN ACT ENTITLED, An Act to revise provisions regulating the perfection of security interest liens filed on-line.
6	Was read the first time and referred to the Committee on Transportation.
7 8	SB 66: FOR AN ACT ENTITLED, An Act to permit the filing of certain documents with the secretary of state by electronic means and to remove the notary requirements.
9	Was read the first time and referred to the Committee on Local Government.
10 11	SB 67: FOR AN ACT ENTITLED, An Act to provide provisions that all documents filed with and maintained by the Office of the Secretary of State may be filed electronically.
12	Was read the first time and referred to the Committee on Local Government.
13 14	SB 69: FOR AN ACT ENTITLED, An Act to repeal the sunset provision on certain statutes relating to nursing homes on Indian reservations.
15	Was read the first time and referred to the Committee on Health and Human Services.
16 17	SB 72: FOR AN ACT ENTITLED, An Act to regulate persons offering speech-language pathology to the public.
18	Was read the first time and referred to the Committee on Health and Human Services.
19	SECOND READING OF CONSENT CALENDAR ITEMS
20 21	HB 1018: FOR AN ACT ENTITLED, An Act to repeal certain obsolete or unnecessary provisions pertaining to the Department of Game, Fish and Parks.
22	Was read the second time.
23	The question being "Shall HB 1018 pass?"
24	And the roll being called:

1 Yeas 69, Nays 0, Excused 1, Absent 0 2 Yeas: 3 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; 4 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; 5 6 Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; 7 Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer; 8 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville; 9 Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker 10 Rausch 11 Excused: Killer 12 13 So the bill having received an affirmative vote of a majority of the members-elect, the 14 Speaker declared the bill passed and the title was agreed to. 15 HB 1036: FOR AN ACT ENTITLED, An Act to establish and revise certain provisions 16 and penalties related to the regulation of grain warehouses, grain buyers, and warehouse receipts. 17 18 Was read the second time. 19 Pursuant to House Rule 7-1, the Speaker removed HB 1036 from the Consent Calendar. 20 HB 1037: FOR AN ACT ENTITLED, An Act to revise the purpose of the agriculture 21 mediation program. 22 Was read the second time. 23 Rep. Tornow requested that HB 1037 be removed from the Consent Calendar. 24 Which request was granted. 25 HB 1026: FOR AN ACT ENTITLED, An Act to repeal certain outdated or unnecessary

27 Was read the second time.

statutes related to the Department of Social Services.

26

- 1 Rep. Feinstein requested that HB 1026 be removed from the Consent Calendar.
- Which request was granted.
- 3 HB 1027: FOR AN ACT ENTITLED, An Act to repeal certain outdated or unnecessary
- 4 statutes related to the Division of Behavioral Health within the Department of Social Services.
- 5 Was read the second time.
- 6 The question being "Shall HB 1027 pass?"
- 7 And the roll being called:
- 8 Yeas 69, Nays 0, Excused 1, Absent 0
- 9 Yeas:
- 10 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
- Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
- Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones;
- Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman;
- Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer;
- 15 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville;
- Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker
- 17 Rausch
- 18 Excused:
- 19 Killer
- So the bill having received an affirmative vote of a majority of the members-elect, the
- 21 Speaker declared the bill passed and the title was agreed to.
- SB 18: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
- 23 references to the Internal Revenue Code.
- Was read the second time.
- The question being "Shall SB 18 pass?"
- And the roll being called:
- Yeas 69, Nays 0, Excused 1, Absent 0

- 1 Yeas:
- 2 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
- 3 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
- 4 Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones;
- 5 Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman;
- 6 Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer;
- 7 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville;
- 8 Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker
- 9 Rausch
- 10 Excused:
- 11 Killer
- So the bill having received an affirmative vote of a majority of the members-elect, the
- 13 Speaker declared the bill passed and the title was agreed to.

14 SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS

- 15 HB 1112: FOR AN ACT ENTITLED, An Act to prohibit any person who fails to file
- 16 certain campaign finance documents to be a candidate for office.
- Having had its second reading was up for consideration and final passage.
- 18 Rep. Tornow moved that HB 1112 be laid on the table.
- The question being on Rep. Tornow's motion that HB 1112 be laid on the table.
- 20 And the roll being called:
- Yeas 65, Nays 4, Excused 1, Absent 0
- 22 Yeas:
- 23 Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Dennert; Dryden; Elliott; Fargen;
- 24 Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey;
- 25 Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Kirschman; Kloucek;
- 26 Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Novstrup (David); Olson
- 27 (Betty); Perry; Romkema; Rozum; Russell; Schaefer; Schrempp; Scott; Sigdestad; Sly; Solum;
- 28 Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen; Vanneman; Venner;
- 29 Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch
- 30 Nays:
- 31 Abdallah; Deelstra; Kirkeby; Nelson (Stace)
- 32 Excused:
- 33 Killer

- 1 So the motion having received an affirmative vote of a majority of the members-elect, the 2 Speaker declared the motion carried and HB 1112 was tabled.
- 3 HB 1005: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the 4 excuse from attendance of children receiving alternative instruction.
- 5 Was read the second time.
- 6 The question being "Shall HB 1005 pass as amended?"
- 7 And the roll being called:
- 8 Yeas 69, Nays 0, Excused 1, Absent 0
- 9 Yeas:
- 10 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
- 11 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
- 12 Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones;
- 13 Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman;
- 14 Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer;
- 15 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville;
- 16 Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker
- 17 Rausch
- 18 Excused:
- 19 Killer
- 20 So the bill having received an affirmative vote of a majority of the members-elect, the 21 Speaker declared the bill passed and the title was agreed to.
- 22 HB 1040: FOR AN ACT ENTITLED, An Act to make an appropriation for the payment 23
- of extraordinary litigation expenses and to declare an emergency.
- 24 Was read the second time.
- 25 The question being "Shall HB 1040 pass?"
- 26 And the roll being called:
- 27 Yeas 64, Nays 5, Excused 1, Absent 0

- 1 Yeas:
- 2 Abdallah; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden;
- 3 Feickert; Feinstein; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey; Hoffman;
- 4 Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Kirkeby; Kirschman; Kloucek;
- 5 Kopp; Liss; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Novstrup (David);
- 6 Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer; Schrempp; Scott; Sigdestad; Sly;
- 7 Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen; Vanneman; Venner;
- 8 Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch
- 9 Nays:
- 10 Blake; Elliott; Fargen; Gibson; Lucas
- 11 Excused:
- 12 Killer
- So the bill having received an affirmative vote of a two-thirds majority of the members-
- elect, the Speaker declared the bill passed and the title was agreed to.
- 15 HB 1042: FOR AN ACT ENTITLED, An Act to repeal certain obsolete statutes relating
- 16 to the State Cement Plant Commission.
- Was read the second time.
- The question being "Shall HB 1042 pass?"
- 19 And the roll being called:
- Yeas 66, Nays 3, Excused 1, Absent 0
- 21 Yeas:
- Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
- 23 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
- 24 Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Jensen; Jones; Kirkeby;
- 25 Kirschman; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace);
- Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer; Scott; Sigdestad;
- 27 Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen; Vanneman;
- Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch
- 29 Nays:
- 30 Iron Cloud III; Kloucek; Schrempp
- 31 Excused:
- 32 Killer
- 33 So the bill having received an affirmative vote of a majority of the members-elect, the
- 34 Speaker declared the bill passed and the title was agreed to.

- 1 Speaker Pro tempore Gosch now presiding.
- 2 HB 1043: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding the
- 3 full-time equivalent staffing report.
- 4 Was read the second time.
- 5 The question being "Shall HB 1043 pass?"
- 6 And the roll being called:
- 7 Yeas 65, Nays 4, Excused 1, Absent 0
- 8 Yeas:
- 9 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
- Dryden; Elliott; Feickert; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey;
- Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Kirkeby; Kirschman;
- 12 Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Novstrup (David);
- Olson (Betty); Perry; Romkema; Rozum; Schaefer; Schrempp; Scott; Sigdestad; Sly; Solum;
- 14 Steele; Street; Stricherz; Tornow; Tulson; Turbiville; Van Gerpen; Vanneman; Venner;
- 15 Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch
- 16 Navs:
- 17 Fargen; Feinstein; Nelson (Stace); Russell
- 18 Excused:
- 19 Killer
- So the bill having received an affirmative vote of a majority of the members-elect, the
- 21 Speaker declared the bill passed and the title was agreed to.
- 22 HB 1044: FOR AN ACT ENTITLED, An Act to repeal certain statutes relating to the
- 23 Bureau of Intergovernmental Relations.
- Was read the second time.
- The question being "Shall HB 1044 pass?"
- And the roll being called:
- Yeas 69, Nays 0, Excused 1, Absent 0

- 1 Yeas:
- 2 Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
- 3 Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
- 4 Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones;
- 5 Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman;
- 6 Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer;
- 7 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville;
- 8 Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker
- 9 Rausch
- 10 Excused:
- 11 Killer
- So the bill having received an affirmative vote of a majority of the members-elect, the
- 13 Speaker declared the bill passed and the title was agreed to.
- HB 1170: FOR AN ACT ENTITLED, An Act to include certain speeding offenses in the
- point system for traffic violations for the purposes of driver license records.
- Was read the second time.
- 17 Rep. Lust moved the previous question.
- Which motion prevailed.
- The question being "Shall HB 1170 pass?"
- And the roll being called:
- Yeas 30, Nays 39, Excused 1, Absent 0
- 22 Yeas:
- 23 Blake; Bolin; Conzet; Elliott; Feinstein; Gibson; Haggar; Hansen (Jon); Hawley; Hickey;
- Hoffman; Hunhoff (Bernie); Hunt; Iron Cloud III; Kirkeby; Kirschman; Liss; Lucas; Lust;
- 25 Munsterman; Novstrup (David); Schaefer; Sly; Solum; Steele; Street; Stricherz; Van Gerpen;
- 26 Willadsen; Wismer
- Nays:
- 28 Abdallah; Boomgarden; Brunner; Carson; Cronin; Deelstra; Dennert; Dryden; Fargen; Feickert;
- 29 Gosch; Greenfield; Hubbel; Jensen; Jones; Kloucek; Kopp; Magstadt; Miller; Moser; Nelson
- 30 (Stace); Olson (Betty); Perry; Romkema; Rozum; Russell; Schrempp; Scott; Sigdestad; Tornow;
- 31 Tulson; Turbiville; Vanneman; Venner; Verchio; White; Wick; Wink; Speaker Rausch
- 32 Excused:
- 33 Killer

- So the bill not having received an affirmative vote of a majority of the members-elect, the Speaker declared the bill lost.
- 3 HB 1075: FOR AN ACT ENTITLED, An Act to allow certain property tax documents to be transmitted electronically.
- 5 Was read the second time.
- Rep. Conzet moved that HB 1075 be deferred to Wednesday, February 1, the 13th legislative day.
- 8 Which motion prevailed.
- 9 HB 1078: FOR AN ACT ENTITLED, An Act to allow certain structures or facilities previously used as an elevator to be classified as agricultural property.
- Was read the second time.

12 1078fb

- Rep. Greenfield moved that HB 1078 be amended as follows:
- On page 1, line 10, of the printed bill, delete everything after "crops" and insert "or rent;".
- On page 1, between lines 10 and 11, insert:
- "(3) The owner stores agricultural crops in the structure or facility; and".
- 17 On page 1, line 11, delete "(3)" and insert "(4)".
- Which motion prevailed.
- The question being "Shall HB 1078 pass as amended?"
- And the roll being called:
- Yeas 46, Nays 23, Excused 1, Absent 0

- 1 Yeas:
- 2 Blake; Bolin; Cronin; Deelstra; Dennert; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch;
- 3 Greenfield; Haggar; Hansen (Jon); Hawley; Hoffman; Hubbel; Hunhoff (Bernie); Iron Cloud
- 4 III; Jensen; Jones; Kirkeby; Kirschman; Kloucek; Kopp; Liss; Magstadt; Miller; Moser;
- 5 Munsterman; Nelson (Stace); Olson (Betty); Perry; Russell; Schaefer; Schrempp; Sigdestad;
- 6 Sly; Steele; Street; Tornow; Tulson; Van Gerpen; Vanneman; Venner; Wismer
- 7 Nays:
- 8 Abdallah; Boomgarden; Brunner; Carson; Conzet; Dryden; Hickey; Hunt; Lucas; Lust;
- 9 Novstrup (David); Romkema; Rozum; Scott; Solum; Stricherz; Turbiville; Verchio; White;
- 10 Wick; Willadsen; Wink; Speaker Rausch
- 11 Excused:
- 12 Killer
- So the bill having received an affirmative vote of a majority of the members-elect, the
- 14 Speaker declared the bill passed and the title was agreed to.
- 15 Speaker Rausch now presiding.
- HB 1057: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the
- manner in which county wheel taxes are imposed.
- Was read the second time.
- The question being "Shall HB 1057 pass?"
- And the roll being called:
- Yeas 60, Nays 9, Excused 1, Absent 0
- 22 Yeas:
- Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
- 24 Dryden; Elliott; Feickert; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey;
- Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Kirkeby; Kloucek; Kopp;
- Liss; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Olson (Betty); Perry;
- 27 Romkema; Russell; Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Stricherz; Tornow; Tulson;
- Turbiville; Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer;
- 29 Speaker Rausch
- Nays:
- 31 Fargen; Feinstein; Jones; Kirschman; Lucas; Novstrup (David); Rozum; Schaefer; Street
- 32 Excused:
- 33 Killer

- So the bill having received an affirmative vote of a majority of the members-elect, the Speaker declared the bill passed and the title was agreed to.
- 3 HB 1077: FOR AN ACT ENTITLED, An Act to authorize municipalities to establish incidental accounts.
- 5 Was read the second time.
- 6 The question being "Shall HB 1077 pass?"
- 7 And the roll being called:
- 8 Yeas 69, Nays 0, Excused 1, Absent 0
- 9 Yeas:
- Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert;
- Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon);
- Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones;
- 13 Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman;
- Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer;
- 15 Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tornow; Tulson; Turbiville;
- Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker
- 17 Rausch
- 18 Excused:
- 19 Killer
- So the bill having received an affirmative vote of a majority of the members-elect, the
- 21 Speaker declared the bill passed and the title was agreed to.
- 22 HB 1094: FOR AN ACT ENTITLED, An Act to require the filing of certain documents
- relating to the vacation, location, or changing of highways with the register of deeds.
- Was read the second time.
- The question being "Shall HB 1094 pass?"
- And the roll being called:
- Yeas 68, Nays 1, Excused 1, Absent 0

2 3 4 5 6 7 8	Abdallah; Blake; Bolin; Boomgarden; Brunner; Carson; Conzet; Cronin; Deelstra; Dennert; Dryden; Elliott; Fargen; Feickert; Feinstein; Gibson; Gosch; Greenfield; Haggar; Hansen (Jon); Hawley; Hickey; Hoffman; Hubbel; Hunhoff (Bernie); Hunt; Iron Cloud III; Jensen; Jones; Kirkeby; Kirschman; Kloucek; Kopp; Liss; Lucas; Lust; Magstadt; Miller; Moser; Munsterman; Nelson (Stace); Novstrup (David); Olson (Betty); Perry; Romkema; Rozum; Russell; Schaefer; Schrempp; Scott; Sigdestad; Sly; Solum; Steele; Street; Stricherz; Tulson; Turbiville; Van Gerpen; Vanneman; Venner; Verchio; White; Wick; Willadsen; Wink; Wismer; Speaker Rausch Nays: Tornow Excused:
12	Killer
13 14	So the bill having received an affirmative vote of a majority of the members-elect, the Speaker declared the bill passed and the title was agreed to.
15	There being no objection, the House reverted to Order of Business No. 5.
16	REPORTS OF STANDING COMMITTEES
17	MR. SPEAKER:
18 19	The Committee on Judiciary respectfully reports that it has had under consideration HB 1132 and returns the same with the recommendation that said bill be amended as follows:
20	1132ra
21	On page 2, line 1, of the printed bill, delete "an" and insert "any".
22	And that as so amended said bill do pass.
23	Also MR. SPEAKER:
23	
24 25	The Committee on Judiciary respectfully reports that it has had under consideration HB 1068 which was tabled.

1	Also MR. SPEAKER:
2 3	The Committee on Judiciary respectfully reports that it has had under consideration HB 1067 and HJR 1003 which were deferred to the 41st Legislative Day.
4 5	Respectfully submitted, Roger W. Hunt, Chair
6	Also MR. SPEAKER:
7 8 9	The Committee on Legislative Procedure respectfully reports that the Office of Engrossing and Enrolling has carefully compared HB 1016, 1024, and 1048 and finds the same correctly enrolled.
10 11	Respectfully submitted, Val Rausch, Chair
12	SIGNING OF BILLS
13	The Speaker publicly read the title to
14 15	HB 1016: FOR AN ACT ENTITLED, An Act to repeal certain rules relating to use of the centennial logo.
16 17 18	HB 1024: FOR AN ACT ENTITLED, An Act to repeal the authorization to sell certain surplus real estate under the control of the Department of Corrections in Aurora County and Minnehaha County.
19	HB 1048: FOR AN ACT ENTITLED, An Act to expand the Board of Military Affairs.
20	And signed the same in the presence of the House.
21 22	Rep. Turbiville moved that the House do now adjourn, which motion prevailed and at 3:51 p.m. the House adjourned.
23	Karen Gerdes, Chief Clerk